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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/800,607	03/06/2001	Robert Olan Keith JR.	ABREAU-00104	2648

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EXAMINER	
NGUYEN, CAM LINH T	
ART UNIT	**PAPER NUMBER**
2171	9

DATE MAILED: 11/17/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/800,607	Applicant(s) KEITH, ROBERT OLAN	
	Examiner Cam-Linh T. Nguyen	Art Unit 2171	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *03 September 2003*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1 - 44* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-44* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

13)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

a) ☐ The translation of the foreign language provisional application has been received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) *6*.
4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

DETAILED ACTION

1. Applicant's amendments to the double patenting are acknowledged.

Consequently, rejection to the double patenting is withdrawn.

2. Applicant's amendments to the specification are acknowledged. Consequently,

rejection to the specification is withdrawn.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 1 – 5, 7 – 16, - 18 – 27, 29 – 39, 41 - 44 are rejected under 35 U.S.C.

103(a) as being unpatentable over Snow et al (U.S. 6,098,066) in view of Drucker et al

(U.S 6,292,796).

♦ As per claim 1 - 2, 12 – 13, 23 – 24, 35 – 36,

Snow teaches a method of accessing information in a searchable database comprising:

- "The searchable database is formatted in a directory tree structure" See Fig. 1, col. 2 line 62 – 67.
- "The directory tree structure includes nodes ... branches" See Fig. 1, element 12.
- "Branches comprising links between the nodes" See col. 3 line 36 – 38.

- The database of Snow is formatted in a tree structure (col. 2, line 62 – 64), comprising nodes, and "related item of data" is corresponding to the data definition 28 in Fig. 1 (col. 3 line 3 – 11).
- "Categorizing each item of data by a navigation path through the directory tree structure and by one or more parameters" see col. 6, line 35 – 44, Snow. The "parameters" is corresponding to the "first group of data contains descriptive terms defining the corresponding leaf category", which are specific to the node.
- Users access the directory by a query (See Fig. 7 element 102, Snow).

Snow teaches a method for access information in a specific node, but does not clearly teach setting one or more search parameters corresponding to the set of parameters of the particular node.

However, Drucker, on the other hand, discloses a method for searching document by specify the navigation path, such as selecting subjects, keyword search, etc. as illustrated in Fig. 1 (col. 2 line 31 – 48, Drucker). The access mechanism includes user setup which allows user specify search preferences (col. 6 line 63 – col. 7 line 6, Drucker). Those preferences are saved for later modification (See Fig. 10 – 11, Drucker).

By saving the query or search preferences, Drucker teaches, "the navigation path is saved as query string". It would have been obvious to one with ordinary skill in the art at the time the invention was made to apply the teaching of Drucker about the saving user preferences into the system of Snow, because the system of Drucker provides great benefit in saving time for users (col. 1 line 56 – 58, Drucker). The combination of

Drucker and Snow produces an easy search engine for users, where the user does not have to be familiar with the system and does not have to spend a lot of time on search queries.

- As per claim 3, 14, 25, 37, the combination of Snow and Drucker discloses:
  - "Utilizing a selective one or more.... parametric search" See Fig. 2, element 30 of Snow, where "terms command" is corresponding to "keyword search".
- As per claim 4, 15, 26, 38, the combination of Snow and Drucker discloses:
  - "The search criteria is one or more keywords input by a user" See Fig. 2 of Snow, where terms command includes plurality of keywords.
- As per claim 5, 16, 27, 39, the combination of Snow and Drucker discloses:
  - "The utilized search methodology is the hierarchical search, the search criteria is selected one of a list of one or more directory items" See Fig. 2 elements 2, 26, col. 4 line 4 – 24, Snow. The category command corresponds to the hierarchical search because it creates the class hierarchy.
- As per claim 7, 18, 29, 41, the combination of Snow and Drucker discloses:
  - "The searchable database is distributed into more than one physical location" See Fig. 9, col. 9 line 6 – 16 of Snow.
- As per claim 8 – 9, 19 - 20, 30 – 32, 42, the combination of Snow and Drucker discloses:
  - The computer network 142, element 140 in Fig. 9 of Snow corresponds to the server. The transmission line 144 corresponds to the "Internet connection", and the system in Fig. 9 is a client-server computer.

♦ As per claim 10 – 11, 21 – 22, 33 – 34, 43 – 44, the combination of Snow and Drucker discloses:

- "Maintaining the node by appropriately adding and deleting data to and from the node" See fig. 3; col. 4 line 25 – 40 of Snow.

6. Claims 6, 17, 28, 40, are rejected under 35 U.S.C. 103(a) as being unpatentable over Snow et al (U.S. 6,098,066) in view of Drucker et al (U.S 6,292,796) as applied to claims above, and further in view of Danish et al (U.S. 6,327,588).

♦ As per claim 6, 17, 28, 40,

As discussed above, the combination of Snow and Drucker teaches keyword search, and hierarchical search. Snow/Drucker does not clearly teach the parametric search and dichotomous key search.

However, in the same field of retrieving data from a searchable database, Danish et al (U.S. 6,327,588), discloses a method for searching documents using parametric search and dichotomous key search. Danish teaches that a user can use a parametric search to identify matching items (See the abstract, Danish). Further, Danish gives the user the opportunity to select some options that are available to the user (See Fig. 8). The values of the parameters could be "binary values" that can turn the search options to on/off or yes/no. This search method corresponds to the "dichotomous key search". Danish is also in the same field of endeavor as Snow.

It would have been obvious to one with ordinary skill in the art at the time the invention was made to apply the teaching of Danish to the combination of Snow and

Drucker, because the combination would provide the user with more flexibility, as well as widen the field of search for a document in a searchable database (col. 3, line 27 – 35, Danish).

Response to Arguments

3. Applicant's arguments filed 09/03/2003 have been fully considered but they are not persuasive.

♦ Applicant argues that the Snow and Drucker references fail to disclose the limitation of searching the documents for specific values of predetermined parameters (page 4 and 5 of the amendment). The Examiner respectfully disagrees.

Specifically, Applicant does not claim this limitation in any of the independent claims.

Applicant claims this limitation in claim 3 as: "...**selective one or more search**..." Therefore, the Snow reference still applies to the claimed language by selecting one method of searching such as key word searching.

♦ Applicant argues that the Drucker reference fails to disclose a searchable directory tree structure database (page 4 of the amendment). The Examiner respectfully disagrees.

Specifically, the Examiner does not use the Drucker reference to teach the tree structure database. Instead, the Examiner provides the teaching of Snow for the directory tree structure, which was then applied to the system of Drucker.

♦ Applicant argues that the Snow reference fails to disclose a dichotomous key search. The Examiner respectfully disagrees.

Specifically, the Examiner does not use the Snow reference to teach the dichotomous key search. Instead, the Examiner provides the teaching of Danish for the dichotomous key search, which was then applied to the system of Snow.

Conclusion

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cam-Linh T. Nguyen whose telephone number is 703-305- 1951. The examiner can normally be reached on Monday - Friday from 8:00 am to 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic, can be reached on (703) 308- 1436. The fax phone number for the organization where this application or proceeding is assigned is 703- 746- 7239.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703- 305-3900.

Cam-Linh Nguyen
Art Unit 2171

WAYNE AMSBURY
PRIMARY PATENT EXAMINER

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